

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 15391 of 2004

Between:

- 1 G. Seshagiri Rao S/o. Venkata Swamy
D.No.23-21-20, Mudigondavari Street, Satyanarayanapuram, Vijayawada,
Krishna District.
- 2 Garre Rama Devi W/o. G. SeshagiriRao
D.No. 23-21-20, Mudigondavari Street, Satyanarayanapuram,
Vijayawada Krishna district.

..... PETITIONER(S)

AND

- 1 The Vysya Bank Ltd., Vijayawada.
- 2 The Hon'ble Debts Recovery Tribunal, Visakhapatnam.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an appropriate writ, order or direction, more particularly a writ of Mandamus, declaring the Order passed in I.R.No.4079/2004 in O.A.No.265/2002 before the 2nd respondent dt. 06.07.2004 as violative of the settled principles of law besides directing the 2nd respondent to give an opportunity to decide the O.A.No.265/2002 on merits.

Counsel for the Petitioners:MR.V.S.R.ANJANEYALU

Counsel for the Respondents: -

The Court at the admission stage made the following :

ORDER: (per BRSR,J)

Liberty is given to the petitioners to challenge the main order passed by the Debts Recovery Tribunal, Visakhapatnam, if the petitioners so intend, in which event the matter shall be considered on its own merits. Leave is accordingly granted to the writ petitioners to withdraw this writ petition requiring no further orders.

The writ petition shall accordingly stand dismissed. No costs.

(B.SUDERSHAN REDDY,J)

DATED:09-09-2004

(K.C.BHANU,J)

GJ/KS

To

- 1 The Vysya Bank Ltd., Vijayawada.
- 2 The Presiding Officer, Debts Recovery Tribunal, Visakhapatnam
- 3 Two C.D. copies.